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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,508	02/25/2004	John Carrington	P-6236-04-04	4011
23983	7590	01/12/2006	EXAMINER	
MILLS LAW FIRM, PLLC P.O BOX 1245 Cary, NC 27512-1245			JOHNSTON, PHILLIP A	
			ART UNIT	PAPER NUMBER
			2881	

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/786,508

Applicant(s)

CARRINGTON, JOHN

Examiner

Phillip A. Johnston

Art Unit

2881

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Detailed Action

1. This Office Action is submitted in response to the Affidavit / Amendment filed 9-26-2005, wherein claims 1-12 are pending.

2. The examiner has determined that the evidence submitted in the Affidavit / Amendment filed 9-26-2005, is sufficient to establish a reduction to practice of the invention in this country or a NAFTA or WTO member country prior to November 26, 2003, the effective filing date of the Vezard (233) reference. As a result, the §103 rejection in the previous Office Action is withdrawn and a second non-final Office Action is herein submitted below.

Claims Rejection – 35 U.S.C. 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,862,093 to Peng, and Jenny, UK Patent App. No. GB 2 389 412 A.

Peng (093) discloses the following;

(a) A forensic light source having a Xenon lamp 26, reflector 36, focusing optics 38 with frontal opening 48, handle 14 with on/off switch 24, battery pack 98, and filter wheels 40 and 42, each having a set of a plurality of filters, as recited in claim 1. See Column 3, line 53-62; Figure 3; and Figure 10 below;

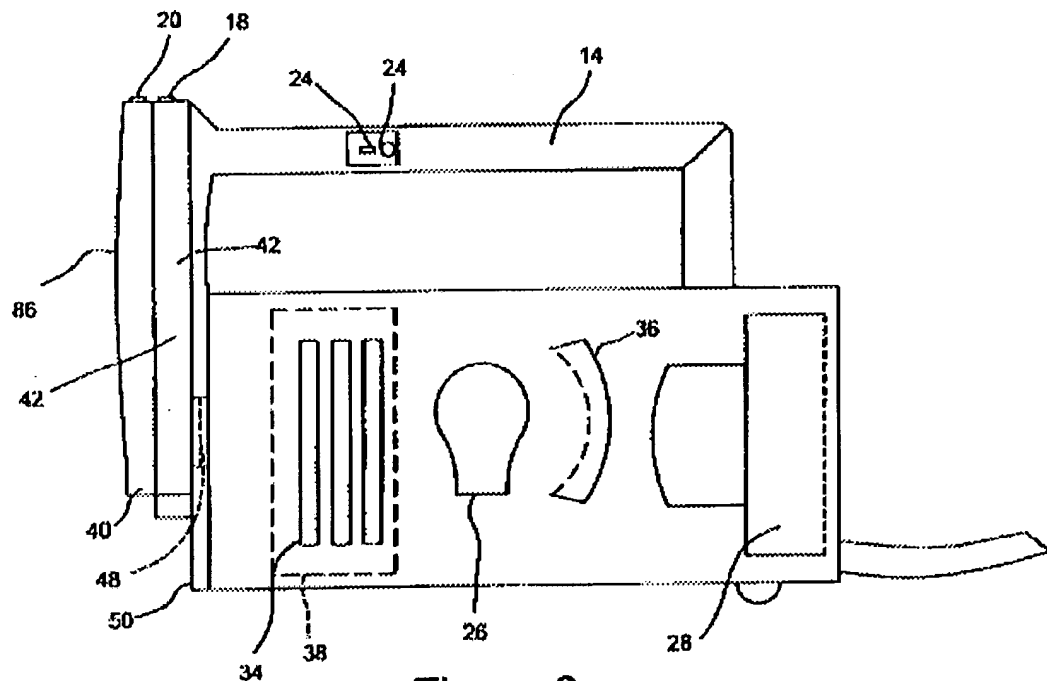


Figure 3

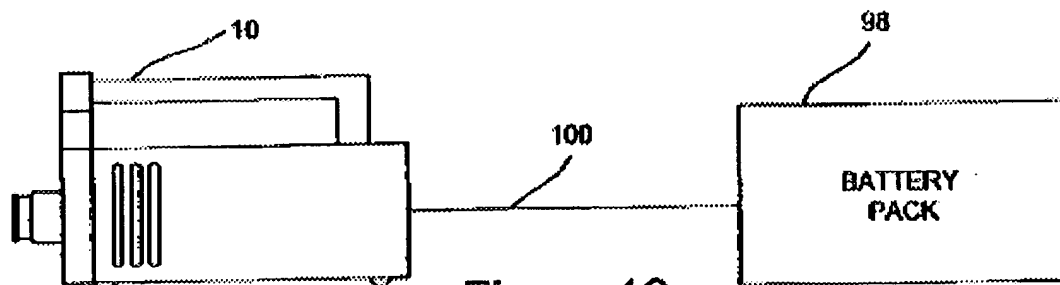


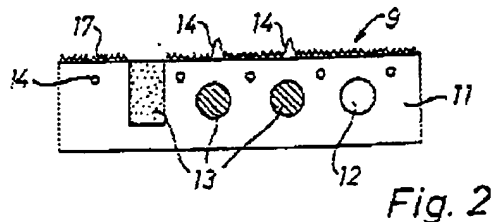
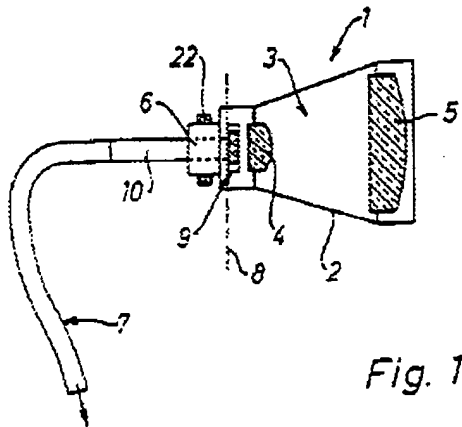
Figure 10

(b) Filters having cutoff wavelengths over the range from 365 nm to 565 nm, as recited in claims 4 and 5. See Column 6, line 10-21.

Peng (093) fails to teach the use of a filter slide, as recited in claims 1-7.

However, Jenny (412) discloses portable light source 1, having filter slide 9, as recited in claims 1-7. See page 3, line 1-31; Figures 1 and 2 below.

Therefore it would have been obvious to one of ordinary skill in the art that the forensic light source of Peng (093) can be modified to use the filter slide of Jenny (412), to provide a lamp with a filter holder having a plurality of colour filters, thereby regulating the spectral distribution of the illumination light.



5. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peng (093) and Jenny (412), in view of Hug, U.S. Patent No. 4,933,816, and in further view of Ostler, U.S. Patent No. 6,954,270.

The combination of Peng (093) and Jenny (412) above fails to teach the use of a carrying case for a forensic light source. However, Hug (816) discloses an inspection / detection system for use in forensic applications that, includes a carrying case which has a cover-lid, a light module and a power supply module. See Abstract.

Therefore it would have been obvious to one of ordinary skill in the art that the forensic light source of Peng (093) and Jenny (412) can be modified to use the carrying case of Hug (816), to provide an inspection/detection system for use in forensic applications which is portable and lightweight so that the inspection/detection system may be utilized at field sites.

The combination of Peng (093), Jenny (412), and Hug (816) fails to teach the use of a tripod or goggles, as recited in claims 11 and 12. However, Ostler (270) teaches the use of color filter glasses (goggles) and a tripod mounting attachment. See; Column 1, line 23-60; and Column 2, line 52-57.

Therefore it would have been obvious to one of ordinary skill in the art that the forensic light source of Peng (093), Jenny (412), and Hug (816) can be modified to use the various components of Ostler (270), to provide a forensic light kit that may include other components such as light heads of different wavelengths, filters, glasses, etc., thereby providing a forensic light configured as a hand-held, battery-operated device that may be used at remote locations and may be easily transported and easily stored.


Conclusion

6. Any inquiry concerning this communication or earlier communications should be directed to Phillip Johnston whose telephone number is (571) 272-2475. The examiner can normally be reached on Monday-Friday from 6:30 am to 3:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiners supervisor John Lee can be reached at (571) 272-2477. The fax phone number for the organization where the application or proceeding is assigned is 571 273 8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PJ

December 13, 2005


JOHN R. LEE
SUPERVISORY PATENT EXAMINER
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